

STATE OF NEW YORK)

ss.:

COUNTY OF NASSAU)

MAUREEN SAUTER, being duly sworn, deposes and says:

That she is over the age of 21 years, resides at Massapequa, New York and is not a party to this action.

That on the 12th day of September, 2005 she served a copy of the within Amended Reply to Counterclaims by depositing true copies thereof in properly sealed postpaid wrappers, in a post office box regularly maintained by the Post Office of the United States located on the premises at Garden City Center, 100 Quentin Roosevelt Boulevard, Garden City, New York 11530, addressed as follows:

Pryor Cashman Sherman & Flynn LLP
410 Park Avenue
New York, New York 10022-4441
Attn: Ronald H. Schechtman, Esq.

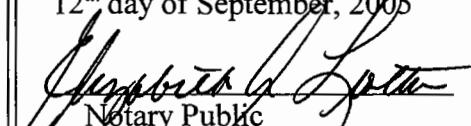
Leonard A. Sclafani, Esq.
Polatsek and Sclafani
Attorneys for Defendant Neal S. Simon
18 East 41st Street, Suite 1500
New York, NY 10017

that being the addresses designated on the latest papers served by them in this action.



MAUREEN SAUTER

Sworn to before me this
12th day of September, 2005



Elizabeth A. Liotta
Notary Public

ELIZABETH A. LIOTTA
Notary Public, State of New York
No. 01LI5048027
Qualified in Nassau County
Commission Expires Aug. 14, 2009